

# 30

Via Hand Delivery

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	: Vishnu K. Agarwal	Attorney Docket No.:	501082.03
Serial No.	: 09/652,841	Confirmation No.	: 4006
Filed	: August 31, 2000	Group Art Unit	: 2815
		Examiner	: Jose R. Diaz
Allowed	: April 22, 2003	Issue Fee Paid	: July 22, 2003
Title	: DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A CONDUCTIVE LAYER IN SAID DEVICE		

**RECEIVED**

AUG 26 2003

OFFICE OF PETITIONS

Mail Stop Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE (37 C.F.R. § 1.313(c)(2)) TO PERMIT  
CONSIDERATION OF AN INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97)  
IN A REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

In accordance with 37 C.F.R § 1.313(c)(2), Applicant hereby petitions the Office that the above-identified application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 C.F.R. § 1.97 in the Request for Continued Examination (37 C.F.R. § 1.114) filed herewith. This application was allowed on April 22, 2003, and the issue fee was paid on July 22, 2003.

Applicant requests that the application be withdrawn from issue in favor of the Request for Continued Examination filed herewith. Applicant requests that the Office grant this Petition and consider the Request for Continued Examination and Information Disclosure Statement filed concurrent herewith.

Enclosed is a check in the amount of \$880 in accordance with CFR 1.17(e).

08/27/2003 AKELLEY 00000016 09652841

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130.00 OP

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1266. A copy of this Petition is enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP



Steven H. Arterberry  
Registration No. 46,314

Enclosures:

- Postcard
- Check
- Copy of this Petition
- Request for Continued Examination (+ copy)
- Information Disclosure Statement
- PTO Form 1449 and cited references (4)

1420 Fifth Avenue, Suite 3400  
Seattle, WA 98101  
Tel: (206) 903-8800  
Fax: (206) 903-8820

h:\ip\documents\clients\micron technology\1000\501082.03\501082.03 petition to wd from issue 082603.doc

# FEE TRANSMITTAL SHEET (FOR FY 2003)

**Complete if Known**

Application No.	09/652,841
Filing Date	August 31, 2000
First Named Inventor	Vishnu K. Agarwal
Group Art Unit	2815
Examiner	Jose R. Diaz
Atty. Docket Number	501082.03

**METHOD OF PAYMENT (Check One)**

**FEE CALCULATION (Continued)**

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. ☒ Check Enclosed

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	750	201	375	<input type="checkbox"/> Utility Filing Fee
106	330	206	165	<input type="checkbox"/> Design Filing Fee
108	750	208	375	<input type="checkbox"/> Reissue Filing Fee
114	160	214	80	<input type="checkbox"/> Provisional Filing Fee

**Subtotal (1)                      \$0**

**2. EXTRA CLAIM FEES**

Current Claims	Prior	Extra	Fee	Fee Paid
Total	- 20	=	x \$	= \$
Ind.	- 3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$

**Subtotal (2)                      \$0**

Large Entity	Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent Claim
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

**3. ADDITIONAL FEES**

Large Entity	Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
105	130	205	65	Surcharge - Late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Continuation of a provisional
147	2,520	147	2,520	For Filing a Request for Reexamination
195	300	196	300	Publication (early or Republication)
115	110	215	55	Extension for reply within first month
116	410	216	205	Extension for reply within 2 <sup>nd</sup> month
117	930	217	465	Extension for reply within 3 <sup>rd</sup> month
118	1,450	218	725	Extension for reply within 4 <sup>th</sup> month
128	1,970	280	985	Extension for reply within 5 <sup>th</sup> month
120	320	220	160	Filing a brief in support of an appeal
121	280	270	140	Request for oral hearing
148	110	248	55	Terminal Disclaimer Fee
140	110	240	55	Petition to revive - unavoidable
141	1,300	241	650	Petition to revive - unintentional
142	1,300	242	650	Utility/Reissue issue fee (+ advance copies)
143	470	243	235	Design issue fee (+ advance copies)
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	180	126	180	Submission of IDS
581	40	81	40	Recording each patent assignment per property (times number of properties)
179	750	279	375	Request for Continued Examination (RCE)
Other fee (specify)				

**Subtotal (3)                      \$880**

**Total Amount of Payment:                      \$880**

**Submitted by:**

Name: Steven H. Arterberry

Reg. No.: 46,314

Telephone: (206) 903-8800

Signature: *Steven H. Arterberry*

Date: 8/25/03